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5 **UNITED STATES DISTRICT COURT**  
6 **DISTRICT OF NEVADA**  
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8 James J. Jorissen,

9 Plaintiff,

10 v.

11 Brent Donald Hollingsworth, Yaa Boaa Aining,  
12 David M. Sheerin, Pamela J. Sheerin, Mortgage  
13 Electronic Registration Systems, Inc., HSBC  
14 Bank USA, National Association, trustee, on  
15 behalf of the holders of the Nomura home equity  
16 loan, inc. Asset-backed Certificates Series 2005-  
he1 Quality Loan Service,

17 Defendants.

Case No.: 2:14-cv-00765-JAD-PAL

**Order Granting Motion for  
Leave to Amend [Doc. 5]**

18 Plaintiff commenced this real property suit on May 15, 2014. Doc. 2. On July 1, 2014, he  
19 filed a motion for “a Petition in the Nature of Amended Complaint for Quiet Title.” Doc. 5. A  
20 review of this motion makes it apparent that this is really<sup>1</sup> a request for leave to file an amended  
21 complaint. *See id.*

22 No defendant has yet answered the complaint. Rule 15 of the Federal Rules of Civil  
23 Procedure permits a party to amend its complaint as a matter of course within 21 days of serving it.  
24 Fed. R. Civ. P. 15(a)(1). The record does not reflect if or when the complaint was served in this  
25 case, accordingly, the court cannot determine whether plaintiff may take advantage of the ability  
26 under Rule 15(a)(1) to amend as a matter of course. Rule 15(a)(2) permits the court to grant leave to

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27 <sup>1</sup> The court construes—as it must—this pro se filing liberally. *See Estelle v. Gamble*, 429 U.S.  
28 97, 106 (1976).

1 amend and instructs that leave should be freely given when justice requires. Fed. R. Civ. P.  
2 15(a)(2). As this case remains in its infancy and no defendant has yet appeared, the court finds good  
3 cause to permit amendment at this time. Accordingly,

4 IT IS HEREBY ORDERED that plaintiff's request for leave to amend [#5] is **GRANTED**;

5 Plaintiff is directed to re-title Document #5 (the motion) to reflect that the document is a  
6 "First Amended Complaint"; plaintiff must then file that First Amended Complaint with the Clerk of  
7 Court within 10 days of the date of this order and ensure that it is properly and timely served on the  
8 defendants.

9 Dated: August 20, 2014.

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11 JENNIFER A. DORSEY  
12 UNITED STATES DISTRICT JUDGE  
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